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September 28, 2007

Honorable Edward M. Chen
United State Magistrate Judge
U.S.D.Ct.-N.D.of CA
450 Golden Gate Avenue
San Francisco, CA 94102

RE: Lionel Allen, et al. vs. City of San Leandro, et al.
U.S.D.Ct.-N.D.of CA / Action # C-07-03509-EMC

Dear Judge Chen:

Pursuant to my telephone conversation with your Court clerk on 9-25-07, this letter is to request on behalf of Mr. Burris and myself, that the Court re-schedule the Case Management Conference in this case until approximately sixty (60) days after the presently scheduled date of 10-10-07 at 1:30 p.m., for the following reasons: (1) Plaintiffs' counsel have not served the original Complaint, and hence there is no opposing counsel at this time; and, (2) Plaintiffs' counsel will shortly be filing and serving a First Amended Complaint, which is necessitated by the fact that one of plaintiffs has informed plaintiffs' counsel that the Statement of Facts portion of the original Complaint is inaccurate as it pertains to him, and must therefore be changed. Since there is no defense counsel in this case at this time, that is also why we have not yet filed a Joint ADR Certificate or Notice of Need for ADR Phone Conference.

Thank you for your courtesy and consideration regarding this matter. We look forward to hearing from you soon.

Very truly yours,



GAYLA B. LIBET, Esq.

ORDER

IT IS SO ORDERED that the Case Management Conference is reset from 10/10/07 at 1:30 p.m. to 12/12/07 at 1:30 p.m. A Joint Case Management Conference Statement shall be filed by 12/5/07. Plaintiff counsel is ordered to serve a copy of this order upon defendants.

Edward M. Chen, U.S. Magistrate

